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UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of  
SILVERBROOK

Application No.: 10/510,097

PCT No.: PCT/AU02/01168

Int. Filing Date: 29 August 2002

Priority Date: 12 April 2002

Attorney Docket No.: YU169US

For: SYMMETRICALLY ACTUATED INK  
EJECTION COMPONENTS FOR AN INK  
JET PRINTHEAD CHIP

DECISION ON PETITION

UNDER 37 CFR 1.137(b)

The petition to revive under 37 CFR 1.137(b) filed 16 May 2005 in the above-captioned application is hereby **GRANTED** as follows:

Applicant's statement that "the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional" and the prompt filing of the petition satisfies the requirement of 37 CFR 1.137(b)(3).

A review of the application file reveals that applicant has now provided payment of the full, U.S. Basic National fee and the requirements of 37 CFR 1.137(b) have been satisfied. Therefore, the request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the National stage in the United States of America.

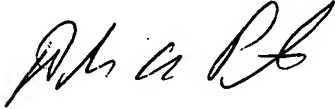
Applicant also seeks an explanation as to the fees involved in the abandonment of the application. As previously stated in the decision mailed 26 April 2005, as of 01 October 2004, the United States Basic National Fee for instances where neither the international search report nor the international preliminary examination report were prepared by the USPTO was \$1110.00. Notice of the fee increase was published in the Federal Register on 27 August 2004 and the Official Gazette of the USPTO on 31 August 2004. As applicant did not pay the full amount before expiration of thirty months on 12 October 2004 the application became abandoned. In the meantime, the USPTO has again revised the fees for entering the National Stage in the United States as shown by applicant's exhibit a copy of the USPTO form PTO-1390 as revised February, 2005.

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The application has an international filing date of 29 August 2002 under 35 U.S.C. 363 and will be given a date of **16 May 2005** under 35 U.S.C. 371(c)(1), (c)(2) and (c)(4).

This application is being returned to the United States Designated/Elected Office (DO/EO/US) for treatment in accordance with this decision.

A handwritten signature in black ink, appearing to read "Derek A. Putonen". The signature is stylized with a large, looped "P" and "U".

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